

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

GLENN E. DAVIS,

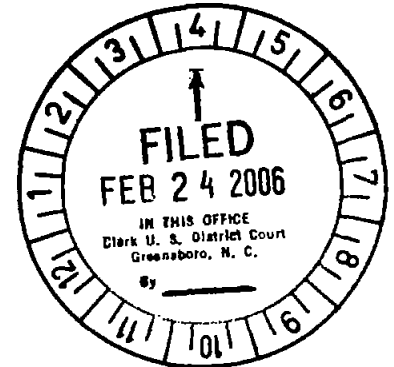
Plaintiff,

v.

FURNITURELAND SOUTH, INC.;
A. DARRELL HARRIS; JASON
HARRIS; KEN MACDONALD,

Defendants.

1:05CV957



ORDER

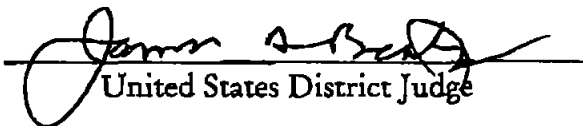
This matter is before the Court on an unopposed Motion to Dismiss [Document #7] by Defendants A. Darrell Harris, Jason Harris, and Ken MacDonald (“the Individual Defendants”). Plaintiff Glenn E. Davis (“Plaintiff”), who is *pro se*, brings his claims pursuant to Title VII of the Civil Rights Act of 1964. Defendant Furnitureland South, Inc. (“Furnitureland”) has answered the Complaint. However, the Individual Defendants have not answered, and have instead filed the present Motion to Dismiss contending that they are not proper defendants in this Title VII suit. Plaintiff has not responded to the Individual Defendants’ Motion to Dismiss.

The Court has reviewed the Motion to Dismiss, and finds it to be well-taken. Defendant A. Darrell Harris is the owner of Furnitureland, Defendant Jason Harris is Vice-President of Sales and Marketing at Furnitureland, and Defendant Ken MacDonald was Plaintiff’s Supervisor. It is well established that individual officers, supervisors, and agents are not liable in their individual capacities for Title VII violations. See Lissau v. Southern Food Serv., 159 F.3d 177,

181 (4th Cir. 1998). Therefore, the Individual Defendants are not proper parties to this lawsuit, and should be dismissed.

IT IS THEREFORE ORDERED that Defendants' Motion to Dismiss [Document #7] is GRANTED, and all of Plaintiff's claims against Defendants A. Darrell Harris, Jason Harris and Ken MacDonald are DISMISSED. This case will proceed against the remaining Defendant, Furnitureland South, Inc.

This, the 24th day of February, 2006.


United States District Judge